

Serial No.: 09/801,951
Filing Date: 3/8/2001

Docket No.: 154596.01

REMARKS

Claims 1, 3-20, 22-38 and 40-45 are pending. Applicant respectfully requests reconsideration and allowance of the application.

In the Final Office Action dated October 6, 2004, U. S. Patent No. 6,513,133, titled "Uniformly Distributed Induction of Exceptions for Testing Computer Software", issued to Campbell was cited to reject all of the pending claims in the application under 35 U.S.C. 103(a). Applicant respectfully requests that this reference be disqualified under 35 U.S.C. 103(c).

Accordingly, Applicant submits the statement in the following page:

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STATEMENT CONCERNING COMMON OWNERSHIP

Applicant Representative of record submits that Campbell, U. S. Patent No. 6,513,133, titled "Uniformly Distributed Induction of Exceptions for Testing Computer Software" (hereinafter, "the Campbell reference"), cannot be considered to be prior art for rejecting the claims of this application. The Campbell reference cannot be prior art because U. S. Patent Application No. 09/801,951 and the subject matter of the Campbell reference were, at the time the invention of application 09/801,951 was made, subject to common ownership and an obligation of assignment to Microsoft Corporation.

Applicant respectfully submits that the above STATEMENT CONCERNING COMMON OWNERSHIP by Applicant Representative of record is sufficient. (See MPEP 706.02(1)(2) II. Evidence Required to Show Common Ownership).

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CONCLUSION

In view of the remarks and the STATEMENT CONCERNING COMMON OWNERSHIP submitted above, Applicant respectfully submits that the Campbell reference is no longer a proper reference for rejecting claims 1, 3-20, 22-38 and 40-45 under 35 U.S.C. 103(a). Accordingly, Applicant respectfully submits that this case is in condition for allowance and such allowance is earnestly solicited. In the event that there are any outstanding matters remaining in the above-identified application, the Office is invited to contact the undersigned to discuss this application.

Respectfully submitted,

MICROSOFT CORPORATION

Date: 12/7/2004

By [Signature]
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**CERTIFICATE OF MAILING OR TRANSMISSION
UNDER 37 C.F.R. § 1.8(a)**

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